

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION**

VICTORIA CAREY, MARIE BURRIS,)
MICHAEL KISER, and BRENT NIX,)
individually and on behalf of all others)
similarly situated,)

Plaintiffs,)

v.)

E.I. DUPONT de NEMOURS AND)
COMPANY and THE CHEMOURS)
COMPANY FC, LLC,)

Defendants.)

Case No.: 7:17-CV-00189-D

Case No.: 7:17-CV-00197-D

Case No.: 7:17-CV-00201-D

CAPE FEAR PUBLIC UTILITY)
AUTHORITY,)

Plaintiff,)

v.)

THE CHEMOURS COMPANY FC, LLC,)
et al.,)

Defendants.)

Case No.: 7:17-CV-00195-D

BRUNSWICK COUNTY, a)
governmental entity,)

Plaintiff,)

v.)

DOWDUPONT, INC., et al.,)

Defendants.)

Case No.: 7:17-CV-00209-D

JOINT SIXTH STATUS REPORT

Pursuant to the Court's order of January 4, 2018, and the parties' January 26, February 2, February 9, February 16, and February 23 status reports, the parties respectfully submit this joint status report in connection with the plaintiffs' motion for expedited discovery.

As described in their prior status reports, the parties are engaged in communications to finalize a sampling protocol that the defendants proposed on January 3, 2018. The parties have exchanged detailed letters regarding the terms of the protocol. Following a telephone conference on Monday, February 12 addressing the a proposed protocol, the parties have continued to discuss further details of a sampling protocol. Most recently, plaintiffs' counsel identified by email on Monday, February 26, 2018 seven outstanding issues to resolve. Counsel for defendants provided a response on each of those issues on March 1, 2018. The parties are working cooperatively to resolve the remaining open items for the protocol, and anticipate that they can likely reach a full agreement on a sampling protocol by March 16, 2018.

In view of these circumstances, the parties respectfully desire to file a further update with the Court on or before Friday, March 16, 2018, regarding the status of the parties' discussions.

Dated: March 2, 2018

Respectfully submitted,

/s/ Joseph A. Ponzi

Joseph A. Ponzi

N.C. State Bar No. 36999

George W. House

N.C. State Bar No. 7426

William P.H. Cary

N.C. State Bar No. 7651

V. Randall Tinsley

N.C. State Bar No. 14429

**BROOKS, PIERCE, McLENDON
HUMPHREY & LEONARD, L.L.P.**

Post Office Box 26000

Greensboro, North Carolina 27420-6000
Telephone: (336) 373-8850
Facsimile: (336) 232-9114
ghouse@brookspierce.com
jponzi@brookspierce.com
wcary@brookspierce.com
rtinsley@brookspierce.com

*Attorneys for Plaintiff Cape Fear Public
Utility Authority*

J. Harold Seagle
N.C. State Bar No. 8017
SEAGLE LAW
P.O. Box 15307
Asheville, N.C. 28813
Telephone: 828-774-5711
haroldseagle@charter.net

Scott Summy
N.C. State Bar No. 27171
Cary McDougal (*pending Pro Hac Vice*)
(Texas State Bar No. 13569600)
Stephen Johnston (*pending Pro Hac Vice*)
(Texas State Bar No. 00796839)
Brett D. Land (*pending Pro Hac Vice*)
(Texas State Bar No. 24092664)
BARON & BUDD, P.C.
3102 Oak Lawn Avenue, Suite 1100
Dallas, Texas 75219-4281
Telephone: (214) 521-3605
ssummy@baronbudd.com

Attorneys for Plaintiff Brunswick County

Theodore J. Leopold
**COHEN MILSTEIN SELLERS
& TOLL PLLC**
2925 PGA Boulevard, Suite 220
Palm Beach Gardens, FL 33410
(561) 515-1400 Telephone
(561) 515-1401 Facsimile
tleopold@cohenmilstein.com

S. Douglas Bunch
Emmy L. Levens
Douglas J. McNamara
**COHEN MILSTEIN SELLERS
& TOLL PLLC**
1100 New York Ave., N.W.,
Suite 500
Washington, D.C. 20005
(202) 408-4600 Telephone
(202) 408-4699 Facsimile
dbunch@cohenmilstein.com
elevens@cohenmilstein.com
dmcnamara@cohenmilstein.com

Jay Chaudhuri
N.C. Bar No. 27747
**COHEN MILSTEIN SELLERS
& TOLL PLLC**
150 Fayetteville Street, Suite 980
Raleigh, NC 27601
(919) 890-0560 Telephone
(919) 890-0567 Facsimile
jchaudhuri@cohenmilstein.com

Vineet Bhatia
SUSMAN GODFREY, L.L.P.
1000 Louisiana Street, Suite 5100
Houston, TX 77002
(713) 651-3666 Telephone
(713) 654-6666 Facsimile
vbhatia@susmangodfrey.com

Stephen Morrissey
Jordan Connors
Steven Seigel
SUSMAN GODFREY, L.L.P.
1201 Third Ave.
Suite 3800
Seattle, WA 98101
(206) 516-3880 Telephone
(206) 516-3883 Facsimile
smorrissey@susmangodfrey.com
jconnors@susmangodfrey.com
sseigel@susmangodfrey.com

Neal H. Weinfield
THE DEDENDUM GROUP
1956 Cloverdale Ave.
Highland Park, IL 60035
(312) 613-0800 Telephone
(847) 478-0800 Facsimile
nhw@dedendumgroup.com

Andrew Whiteman
N.C. State Bar No. 9523
WHITEMAN LAW FIRM
5400 Glenwood Avenue
Suite 225
Raleigh, NC 27612
(919) 571-8300 Telephone
(919) 571-1004 Facsimile
aow@whiteman-law.com

Gary W. Jackson
N.C. State Bar No. 13976
**THE LAW OFFICES OF
JAMES SCOTT FARRIN, P.C.**
280 South Mangum Street
Suite 400
Durham, NC 27701
Phone: (919)-688-4991
gjackson@farrin.com

*Attorney for Plaintiffs Carey, Burris, Kiser,
and Nix*

Jonathan D. Sasser
N.C. State Bar No. 10028
Stephen D. Feldman
N.C. State Bar No. 34940
ELLIS & WINTERS LLP
Post Office Box 33550
Raleigh, North Carolina 27636
Telephone: (919) 865-7000
jon.sasser@elliswinters.com
stephen.feldman@elliswinters.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2018, I electronically filed the foregoing JOINT SIXTH STATUS REPORT with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all counsel of record who have made an appearance in the above-captioned cases.

Dated: March 2, 2018

/s/ Joseph A. Ponzi
Joseph A. Ponzi